

REMARKS

In this Response, claims 1, 2, 6, 7, 10-12, 16-19, and 22-28 are amended, which are fully supported by the originally filed application. Claims 1-28 are presented for examination. Reconsideration of the instant application is respectfully requested.

Rejections Under 35 U.S.C. § 103

1. In “Claim Rejections – 35 USC § 103,” on page 2 of the above-identified Final Office Action, claims 1-11 and 19-25 were rejected as being unpatentable over U.S. Patent Publication No. 2003/0198458 (hereinafter Greenwood) in view of U.S. Patent Publication 2003/0031460 (hereinafter Obrador) under 35 U.S.C. § 103(a).

Claim 1 is amended to recite a method for digitally storing a received program, comprising:

- “storing, by a computing device, the entire received program as a first digital copy having a first quality level;
- converting, by the computing device, the first digital copy into a second digital copy of the entire received program, having a second quality level of lesser quality than the first quality level;
- storing, by the computing device, the second digital copy along with the first digital copy; and
- applying, by the computing device, a retention policy which requires at least deletion of selected ones of the stored first and second digital copies.”

Thus, read as a whole, claim 1 recites converting the entire received program into a higher quality copy and a lower quality copy, and storing both the higher and the lower quality copies in storage.

In rejection to the previously presented claim 1, the Examiner alleged that Greenwood discloses all the elements except that Greenwood is silent regarding the simultaneous storage of both a high and low quality copies. And Obrador was cited by the Examiner to cure the deficiency of Greenwood. Applicants respectfully submit that Obrador fails to disclose recitations of amended claim 1.

According to paragraphs [0019] – [0021], Obrador discloses a method for video indexing using high quality audio clips. High quality audio clips of the most memorable music in the audio/video sequence are recorded, and are used as indices pointing into the audio/video

sequence. Low quality audio tracks that accompany the audio/video sequence are also recorded. But, Applicants submit that Obrador fails to teach or suggest “storing the entire received program as a first digital copy having a first quality level; converting the first digital copy into a second digital copy of the entire received program, having a second quality level of lesser quality than the first quality level; storing the second digital copy along with the first digital copy” as recited in amended claim 1. This is because those high quality audio clips in Obrador are not a copy of the entire sequence received by the audio/video acquisition device. The entire sequence in Obrador includes not only audio data but also video data. So, the high quality audio clips in Obrador are only part of the entire sequence. Second, even if assumed arguendo that the audio data in the sequence of Obrador may be cited (independently from the video data in the sequence) to read on the received program in claim 1, those high quality audio clips are only incomplete and discrete portions of the entire audio data. So, Applicants submit that Obrador fails to fulfill the role endowed by the Examiner to cure the deficiency of Greenwood.

Thus, Applicants further submit that the combination of Greenwood and Obrador fails to teach or suggest each and every element of amended claim 1.

Moreover, Applicants submit that there would have been no motivation to modify Obrador to recite the undisclosed elements in amended claim 1. As mentioned above, the purpose of Obrador is to use the high quality audio clips as indices of the audio/video sequence, so that memorable moments in the sequence can be traced easily and enjoyed with better audio effects. However, if the high quality audio clips in Obrador are changed to high quality audio file of the entire sequence, then there would have been no way for Obrador to achieve the intended function of indexing the audio/video sequence.

Accordingly, for at least above stated reasons, Applicants submit that amended claim 1 is patentable over Greenwood in view of Obrador under 35 U.S.C. § 103(a).

Independent claims 19 and 23 recite generally similar subject matters to amended claim 1. Thus, for at least the above stated reasons, claims 19 and 23 are patentable over Greenwood in view of Obrador under 35 U.S.C. § 103(a). Claims 2-11, 20-22 and 24-25 depend from claim 1, 19, or 23, incorporating their recitations respectively. Therefore, due to at least the above stated reasons, claims 2-11, 20-22 and 24-25 are patentable over Greenwood in view of Obrador under 35 U.S.C. § 103(a).

2. In “Claim Rejections – 35 USC § 103,” on page 13 of the above-identified Final Office Action, claims 12-18 and 26-28 were rejected as being unpatentable over U.S. Patent 6, 532, 593 (hereinafter Moroney) in view of Greenwood and further in view of Obrado under 35 U.S.C. § 103(a).

Moroney discloses transcoding and storing a received digital programming at one of a plurality of quality levels (e.g., high, medium, low, etc) based optionally on a user input, thereby resulting in a savings of disk space required to store the program. The Examiner conceded that Moroney is silent about the storage of both a high and low quality copy of the data. And Obrador was cited to cure the deficiency of Moroney.

Independent claims 12 and 26 recite generally similar subject matter to claim 1. Applicants submit that based on at least the reasons stated in section one of this paper, Obrador fails to cure the deficiency of Moroney or Greenwood. Thus, claims 12 and 26 are patentable over Moroney in view of Greenwood and further in view of Obrador under 35 U.S.C. § 103(a). Claims 13-18 and 27-28 depend from claim 12 or 26, incorporating their recitations respectively. Therefore, based on at least the reasons stated in section one of this paper, claims 13-18 and 27-28 are patentable over Moroney in view of Obrador and further in view of Greenwood under 35 U.S.C. § 103(a).

Conclusion

In view of the foregoing, reconsideration and allowance of claims 1-28 are solicited. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 381-8819. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge the Deposit Account of Schwabe, Williamson and Wyatt, P.C., No. 50-0393.

Respectfully submitted,

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